



Order Filed on April 15, 2025  
by Clerk,  
U.S. Bankruptcy Court  
District of New Jersey

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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

**ERIC J. SPENCER,**

Chapter 13 Debtor.

Chapter 13

Case No. 21-14066-SLM

***Hearing Date: 4/15/25***

Honorable Stacey L. Meisel

**ORDER APPROVING DEBTOR'S USE OF EXEMPT RETIREMENT  
FUNDS; AND ~~FOR RELATED RELIEF~~  
^ *DENYING OTHER RELIEF*  
*REQUESTED IN THE MOTION AT ECF*  
*NO. 81***

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

**DATED: April 15, 2025**

  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

Debtor: Eric J. Spencer  
Case No. 21-14066  
Page: 2

Upon consideration of the Debtor's Motion (Docket No. 81); and for Related Relief (the  
"Motion"); and good cause appearing therefore, it is hereby

*^ and for the reasons set forth on the record*

**ORDERED**, ~~the Debtor's DTCC Savings Plan is exempt under 11 U.S.C. § 522(d)(10)(E)~~

~~and the Debtor is authorized to utilize those funds at his discretion;~~

*^that the Debtor is authorized to use the funds in the DTCC Savings Plan, which is listed as an  
exempt asset on the Debtor's Schedule C of his petition\*; and it is further*

**ORDERED** that all other requested relief is denied. \*\*

*\*The Court notes the Debtor listed his 401k as exempt on Schedule C of his petition. See  
ECF No. 1. No parties objected to the exemption within 30 days pursuant to Federal Rule of  
Bankruptcy Procedure Rule 4003(b). See Fed. R. Bankr. P. 4003(b). By operation of law, the  
DTCC Savings Plan becomes exempt without an in-depth review of the Court. See Fed. R.  
Bankr. P. 4003(b); Schwab v. Reilly, 560 U.S. 770, 794 (2010).*

*\*\*Insertions in italics and deletions made by the Honorable Stacey L. Meisel.*

In re:  
Eric J. Spencer  
Debtor

Case No. 21-14066-SLM  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Apr 15, 2025

User: admin  
Form ID: pdf903

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 17, 2025:

Recip ID	Recipient Name and Address
db	+ Eric J. Spencer, 4407 Woodmont Circle, Sewell, NJ 08080-2286

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 17, 2025

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 15, 2025 at the address(es) listed below:

Name	Email Address
Angela Nascondiglio Stein	on behalf of Debtor Eric J. Spencer astein@meyner.com
Denise E. Carlon	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jessica M. Minneci	on behalf of Debtor Eric J. Spencer jminneci@middlebrooksshapiro.com minneci.jessicab@notify.bestcase.com
Laura M. Egerman	on behalf of Creditor NewRez LLC d/b/a Shellpoint Mortgage Servicing laura.egerman@mccalla.com mccallaecf@ecf.courtdrive.com
Marie-Ann Greenberg	magecf@magtrustee.com
Melinda D. Middlebrooks	on behalf of Debtor Eric J. Spencer middlebrooks@middlebrooksshapiro.com

District/off: 0312-2

User: admin

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Date Rcvd: Apr 15, 2025

Form ID: pdf903

Total Noticed: 1

melindamiddlebrooks@gmail.com;minneci.jessicab@notify.bestcase.com

Melissa N. Licker

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper mlicker@hinshawlaw.com

Sindi Mncina

on behalf of Creditor Federal Home Loan Mortgage Corporation smncina@raslg.com

Sindi Mncina

on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10